



Docket No.: PF-0430-1 DIV
Response Under 37 C.F.R. 1.116 - Expedited Procedure
Examining Group 1642

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 10, 2003.

By: _____

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Katherine Stofer

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: Hillman et al.

Title: NEW GLUTATHIONE S-TRANSFERASE

Serial No.: 09/441,723

Filing Date: November 16, 1999

Examiner: Yu, M.

Group Art Unit: 1642

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision mailed August 6, 2003, of the Examiner's rejection of Claim(s) 1, 2 and 14. Please note that a reply to this Final Office Action was filed on October 3, 2003 and postcard received on October 6, 2003 by the USPTO. Thus, a reply to the Final Office Action was **filed within two (2) months** from the date of the mailing of any final rejection setting a 3-month shortened statutory period for reply. To date an Advisory Action has **not** been mailed by the Examiner handling this application. Since an Advisory Action has not been mailed by the end of the 3-month period, the 3-month shortened statutory period for reply has **not** expired as set forth in M.P.E.P. §714.13. Accordingly, **no** time extension fees are required.

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Please charge the Appeal fee of **\$330.00** required under 37 C.F.R. § 1.17(b) to Deposit Account No. **09-0108**. The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayments to Deposit Account No. **09-0108**.

Date: 10 December 2003

Respectfully submitted,

INCYTE CORPORATION


James M. Verna, Ph.D.

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TRANSMITTAL FEE SHEET

Sir:

Transmitted herewith are the following for the above-identified application:

1. Return Receipt Postcard; and
2. Notice of Appeal (2 pp.).

The fee has been calculated as follows:

<u>X</u>	Fee for filing Notice of Appeal under 37 C.F.R. § 1.17(b):	<u>\$ 330.00</u>
<u>X</u>	Please charge Deposit Account No. 09-0108 the amount of:	<u>\$ 330.00</u>

The Commissioner is hereby authorized to charge any additional fees required under 37 C.F.R. §§ 1.16 and 1.17, or credit overpayment to Deposit Account No. **09-0108**. **A duplicate copy of this sheet is enclosed.**

Respectfully submitted,

INCYTE CORPORATION

James M. Verna
James M. Verna, Ph.D.

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